



PECFA POST



A newsletter created and distributed by the Wisconsin Department of Commerce, Bureau of PECFA

PECFA POST, Volume 5, Issue 4

www.commerce.wi.gov

December 2005

ENVIRONMENTAL AND REGULATORY SERVICES DIVISION CONFERENCE

Mission of the ERS Division

To promote the health, safety, and welfare of the public and the environment through effective and efficient regulations, education, and enforcement.

The Wisconsin Department of Commerce (Commerce) Environmental and Regulatory Service's (ERS) division-wide conference was held in Oshkosh on October 17, 18 and 19. The conference included the Site and Claim Review Sections of the Petroleum Environmental Cleanup Fund Award (PECFA) Bureau; the Retail Services and Storage Tank Regulation Sections and Tank Permit and Registration Unit of the Petroleum Products and Tanks Bureau. It was the first time in many years that the entire Division was together to exchange ideas.

Mary Burke, Secretary of the Department of Commerce, opened the conference with remarks concerning continual quality improvement. Andy Tschampa, from the United States Environmental Protection Agency (EPA) Region 5, followed with a national perspective on Wisconsin's petroleum programs. Wisconsin continues to be a leader in both Region 5 and nationally in our commitment to the environment. Next, Leland Tong, a petroleum consultant, educated the group on the emerging field of bio-diesel fuels. This technology, with its base in the Midwest, is rapidly expanding to the rest of the nation and may eventually help break our dependence on foreign oil. To end the day, the long-term financial responsibility of the PECFA Program and the role of private insurance companies were explained by James Moser from the PECFA Claim Review Section.

Marcel Moreau, a nationally recognized storage tank expert, was the featured speaker for the remainder of the conference. You may recognize him as the principle author of the "Technically Speaking" column in the LUSTLine, a national bulletin on underground storage tanks. Questions and answers flowed freely among participants.

COMM 47 UPDATE

On November 16, 2005, a public hearing was held with regard to the Commerce Administrative Rule, Comm 47 that is presently in legislative review. In the event there are no unforeseen delays, the rule changes will move forward as planned, with an effective date of April 1, 2006. Assuming an April 1, 2006 effective date, Commerce will hold informational sessions around the State, in mid-February, to acquaint users to the rule changes. Commerce will send a PECFA Update to all registered consulting firms and PECFA Post subscribers to notify them of the online pre-registration for the informational sessions.

In This Issue . . .

[EPA GRANT WORK](#)

[ANNUAL REPORTING AND
OCCURRENCE CLASSIFICATION
FORM COMPLETION DEADLINE
DELAYED](#)

[TIS THE SEASON...](#)

EPA GRANT WORK

The PECFA program received three grants from the EPA. Work associated with these grants was recently completed with results presented on October 25, 2005, to EPA Region V officials, Wisconsin Department of Natural Resources (WDNR) Petroleum Team Leaders, Legislative Fiscal Bureau, Wisconsin Department of Administration (DOA) and Commerce officials.

The grants were allocated to do the following:

1. Categorize petroleum storage tank sites and determine the future liability to Wisconsin's PECFA program. Primary contributors to this study were Lee Delcore, Greg Michael, Will Myers and Ralph Smith.

As a result of this study, Commerce identified 4,632 sites having petroleum constituents. After identifying a petroleum site, risk was determined followed by potential reimbursement eligibility. Commerce estimates that the potential liability for the program for open confirmed and potential petroleum-contaminated sites is \$412.7 million.

2. Assess the viability of Pay-for-Performance (PFP) as a reimbursement method. Primary contributors for this study were Jean Beckwith, Beth Erdman and Brian Taylor

PFP created a review, reimbursement, and tracking process making consultants more accountable by only approving payment of invoices upon completion of scopes of work. PFP also tested the ability to advance sites through closure that were stalled due to financial difficulty. PFP also reduced site work and bank interest costs.

3. Create a Web-based scoring system for ranking petroleum-contaminated sites. Primary contributors for this study were David Blair, Alan Hopfensperger, Gena Larson, Ralph Smith, Monica Weis and Shawn Wenzel.

This project created a Web-Based Scoring System and combined it with the annual reporting requirement to minimize duplication of reporting efforts and make the reporting process easier to complete. The Web-Based scoring system also addressed the workload of PECFA staff anticipated to result from the proposed code revision requirements. The scoring system can be found at the PECFA Annual Site Reporting Page: <http://www.commerce.state.wi.us/ER/ER-PECFA-AnnualSiteReportingOccurrenceClassification.html>

Copies of these studies can be obtained by contacting Cathy Voges at (608) 261-7717 or cvoges@commerce.state.wi.us.

PECFA Post circulation and a request for Topics of Concern

We are continuing to move toward total electronic distribution of the *PECFA Post*. To subscribe electronically go to <http://commerce.state.wi.us/ER/ER-PECFA-News.html#PecfaPost> and scroll down to the subscribe box. You will receive an email to confirm your email address. Upon confirmation you will have been added to the electronic distribution list. If you do not have e-mail, you may call, (920) 303-5410, or write Beth Erdman at ERS Division, Bureau of PECFA, 2129 Jackson Street, Oshkosh, WI 54901 and request to be placed on a mailing list.

We are always happy to receive suggestions for future *Post* topics or comments on current articles. Please use contact Beth Erdman at berdman@commerce.state.wi.us or mail suggestions or topics to the address listed above.

ANNUAL REPORTING AND OCCURRENCE CLASSIFICATION FORM COMPLETION DEADLINE DELAYED

Due to a delay in the implementation of the Comm 47 and Comm 5 code revisions, the previous tentative deadline of January 31, 2006 for the completion of the Annual Reporting and Occurrence Classification forms has been delayed. Completed Annual Reporting and Occurrence Classification forms are now tentatively due no later than April 30, 2006. If you will be required but fail to complete the "occurrence classification" portion of the annual reporting before May 1, 2006, future PECFA funding will be denied. Reporting can be completed on-line by accessing the following website:
<http://www.commerce.state.wi.us/ER/ER-PECFA-AnnualSiteReportingOccurrenceClassification.html>

Questions regarding the open or closed status of sites should be directed to the project manager. Also, note that the dates and penalty are tentative based on the proposed code changes being implemented. Changes will be noted on the reporting website.

\$50K CLAIM SUBMITTALS...THE NEXT STEP

Previously, the PECFA program sent letters to owners/responsible parties (RPs) requesting that a claim be filed based on the fact that an outstanding lender loan balance of at least \$50,000 accrued during the most recent reporting period. In a continued effort to reduce loan interest costs and avoid unnecessary interest accruals for sites utilizing loans, the PECFA Claims Review staff is taking the next step and implementing a more aggressive approach to identify sites eligible to file a claim. Targeted are sites where lenders report an outstanding balance of at least \$50,000 or sites that have stalled with the last reimbursement being made two years ago or more with a loan balance that is accruing interest. Internal reports generated from the bi-annual lender reporting information will allow PECFA to compare costs from the previous two reporting periods. This will identify changes in the loan balance and the date of the last claim submittal. The intent is to identify stalled or 'sleeping dog' sites in an effort to move them toward closure and ultimately save money by avoiding unnecessary interest costs.

WISDOT RIGHT-OF-WAY ISSUES

When working in a Wisconsin Department of Transportation (WisDOT) right-of-way (ROW), consultants and/or contractors are required to obtain permits. Following is the link WisDOT's permitting process:

<http://www.dot.wisconsin.gov/business/rules/property-permits.htm>

Situations occur, however, where State Trunk Highways that extend through municipalities are not maintained by WisDOT. They are called Connecting Highways, and as such the municipalities are the maintaining authority; by statute, municipalities also have permitting authority in these instances. To determine whether a road is a State Trunk or Connecting Highway, WisDOT has developed Official State Trunk Highway System maps. Following is a link to this publication for reference:

<http://dot.wisconsin.gov/travel/maps/docs/sth/complete-osthsm.pdf>

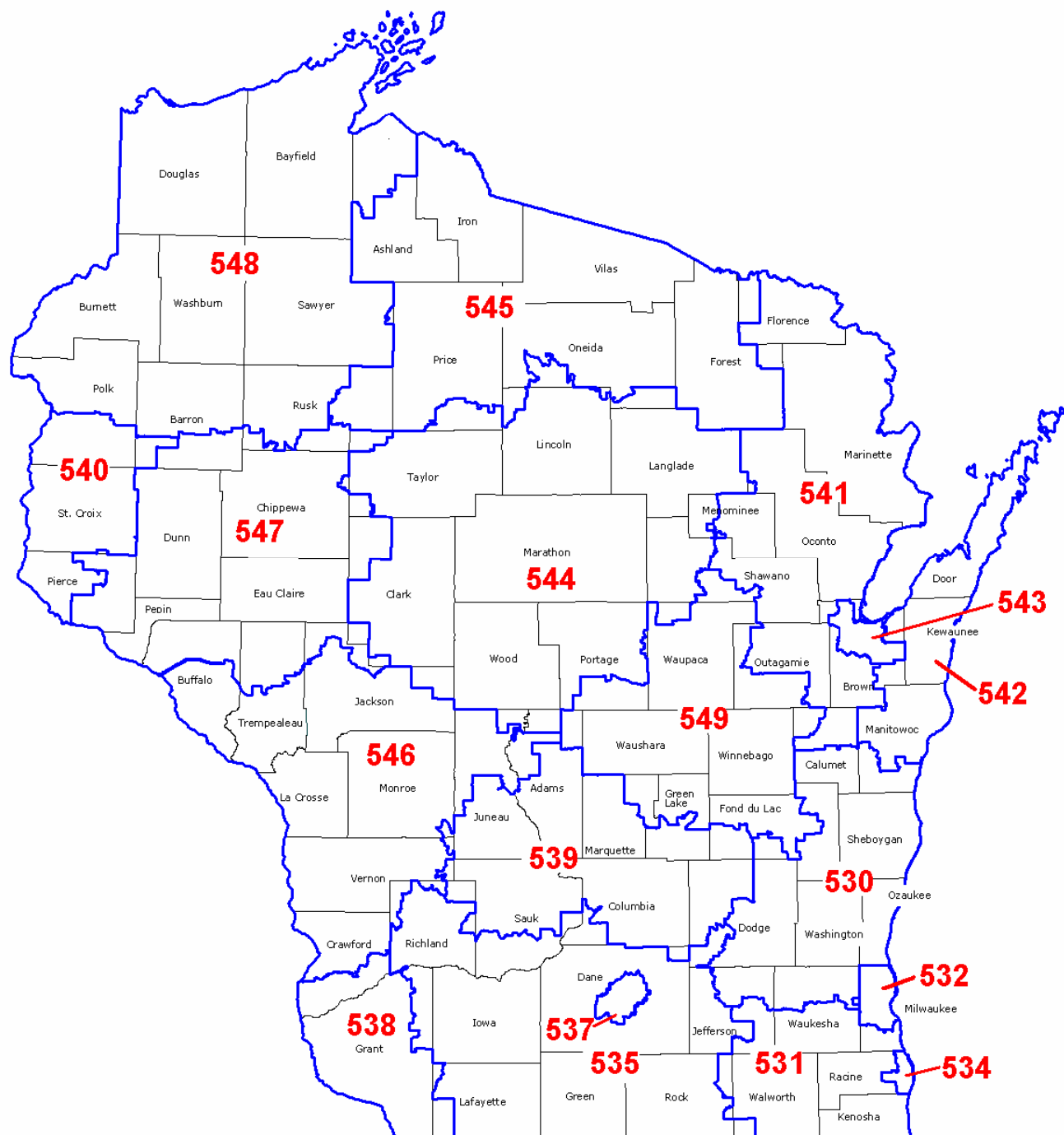
In all cases, it is recommended that the local municipality be contacted to determine the permitting authority because the Connecting Highway limits may have changed since the publication date of the map.

TIS THE SEASON...

With winter quickly approaching, Commerce would like to remind consultants and RPs to dispose of any 55 gallon drums containing purge water or soil cuttings. Many of these drums are located in the back of the lot and can be forgotten. Remember, drums that leak may pose an imminent threat to human health and the environment, requiring the Spills Statue to be applied. Therefore, prior to a leak and subsequent clean-up, contact an appropriate waste contractor to dispose of the drums.

THE WISCONSIN DEPARTMENT OF COMMERCE, BUREAU OF PECFA WOULD LIKE TO WISH YOU AND YOURS A SAFE AND HAPPY HOLIDAY SEASON!!!

PECFA SITE REVIEW ZONE COVERAGE MAP



PECFA SITE REVIEW ZONE CONTACT INFORMATION

Bureau Director Oscar Herrera (608) 266-7605 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Section Chief Site Review Section Eric Scott (608) 266-8516 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044	
Program Assistant Cathy Voges (608) 261-7717 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Program Assistant Kristi Prindle (608) 267-3753 WI Dept Of Commerce FAX 608-267-1381 201 W Washington Ave PO Box 8044 Madison WI 53708-8044	
ZIP CODE STARTING WITH:		CONTACT INFO (click on project manager name to send email):	
530, 531, 532, 534	Lee Delcore	(414) 220-5403	WI Dept of Commerce 101 W Pleasant St Suite 100A Milwaukee WI 53212-3963 FAX 414-220-5374
	Stephen Mueller	(414) 220-5402	
	Jennifer Skinner	(414) 220-5373	
	Greg Michael	(414) 220-5375	
	Monica Weis	(414) 220-5361	
	Linda Michalets	(414) 220-5376	
535	Ralph Smith	(608) 261-6543	WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044 FAX 608-267-1381
	Alan Hopfensperger	(608) 266-0562	
537	Jon Heberer	(608) 261-5405	
538	Andrew Alles	(608) 261-8509	
539, 546	David Swimm	(608) 264-8766	
	Gena Larson	(608) 261-5404	
	Brian Taylor	(608) 266-0593	
540	Shawn Wenzel	(608) 261-5401	
545	David Blair	(608) 261-2515	
548	Will Myers	(608) 261-7718	
544	Dee Zoellner	(715) 342-3802	WI Dept Of Commerce 2715 Post Rd
547	Tim Zeichert	(715) 345-5307	Stevens Point WI 54481-6456 FAX 715-345-5225
542, 543	Robert Klauk	(920) 424-0046	WI Dept Of Commerce 2129 Jackson St Oshkosh WI 54901-1805 FAX 920-424-0217
549*	Tom Verstegen	(920) 424-0025	
541	Beth Erdman	(920) 303-5410	

*Outagamie, Winnebago, Fond du Lac Counties are project managed by Robert Klauk and the remainder of 549 sites including the City of New London are managed by Dee Zoellner.

PECFA CLAIM REVIEW CONTACT INFORMATION

Bureau Director Oscar Herrera (608) 266-7605 WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044		Section Chief Claim Review Section Dennis Legler (608) 267-7642 WI Dept Of Commerce 201 W Washington Ave PO Box 7838 Madison WI 53707	
Position	CONTACT INFO (click on claim reviewer name to send email):		
Claim Review	Jean Beckwith (608) 266-6796 Linda Collier-Thompson (608) 267-5264 Lorraine Narvaez (608) 261-7716 Tim Prosa (608) 261-7715	WI Dept of Commerce 201 W Washington Ave PO Box 7838 Madison WI 53707 FAX 608-267-1381	
Initial Claim Eligibility	Renee Dickey (608) 264-8765		
Commodity Bid Waivers	Mary Ann Gosda (608) 266-9420		
Appeals Field Audit	James Moser (608) 267-1394		
Appeals Coordinator-Initial Contact for Appeals	Laura Pleasants (608) 261-2511		
Initial Claim Review	Diane Ploessl (608) 261-7723		
Appeals and Emergency Action	Darin Powers (608) 261-6544		
Financial Manager-Payment Issues	Dottie White (608) 266-3713		
Program Assistant	Kristi Prindle (608) 267-3753	WI Dept of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708 FAX 608-267-1381	
Field Auditor	Carl Kramer (262) 638-7247		